

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

|                                   |   |                             |
|-----------------------------------|---|-----------------------------|
| <b>RICHARD C. RODRIGUEZ, JR.,</b> | ) |                             |
|                                   | ) |                             |
| Petitioner,                       | ) |                             |
|                                   | ) |                             |
| vs.                               | ) | <b>CIVIL NO. 06-291-WDS</b> |
|                                   | ) |                             |
| <b>KATHLEEN HAWK-SAWYER,</b>      | ) |                             |
|                                   | ) |                             |
| Respondent.                       | ) |                             |

**MEMORANDUM AND ORDER**

**STIEHL, District Judge:**

This action was originally filed on March 10, 2006, in the United States District Court for the District of Columbia; that court subsequently transferred the action to this District. Petitioner had previously filed a virtually identical action in this District, *see Rodriguez v. Bledsoe*, Case No. 06-cv-170-MJR (S.D. Ill., filed Feb. 27, 2006), and Petitioner now seeks to consolidate these two actions (Doc. 5). In the alternative, he asks that this action be dismissed.

The Court has compared the complaint in both cases, and it is clear that these two cases seek the same relief regarding the execution of his state and federal sentences. Therefore, the Court finds that dismissal of this action is appropriate. Accordingly, the request to consolidate is **DENIED**, and the request to dismiss this action is **GRANTED**. Dismissal is without prejudice to pursuit of his claims in his other action pending in this District.

**IT IS SO ORDERED.**

**DATED: May 16, 2006**

**s/ WILLIAM D. STIEHL**  
**DISTRICT JUDGE**